IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 16294 of 2004

Between:

Mohd.Abdul Khadar, s/o M.A.Kareem,

Aged 50 years, Occ: Driver (Staff No.81750)
Devarakonda Depot, Nalgonda District.

..... PETITIONER

AND

The Depot Manager, A.P.S.R.T.C.,
Devarakonda Depot, Nalgonda District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or writs, order or direction, declaring the action of the respondent in not considering and disposing of the application dt.25-06-2003 latest being dt.6-8-2004 for acceptance of fresh nomination papers nominating Smt.Fazlunnisa Begum as nominee of the petitioner in the service register by deleting the name of Smt.Sajida Begum, who is divorced wife of the petitioner as illegal, arbitrary and unjustified and consequently direct the respondent to consider and dispose of the application dt.25-06-2003 latest being dt.6-8-2004 for change of nominee in the service register

Counsel for the Petitioner: MR.VENKAT REDDY THIPPARTHI

Counsel for the Respondent: MR.V.T.M.PRASAD

The Court at the stage of admission made the following:

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ORDER:

The petitioner is working as a driver in the respondent Corporation. He initially nominated his first wife as a nominee for his service benefits.

2. The petitioner contends that subsequently he divorced his first wife on 26.10.1994 and married another lady by name Fazulunnisa Begum according to Muslim rites and customs. He further contends that he made an application to the respondent Corporation on 25.06.2003 with all relevant documents, requesting him to change the name of the nominee by deleting the name of his divorced wife.

3. The grievance of the petitioner is that the respondent did not so far passed any order on his application dated 25.06.2003. He, therefore, approached this Court seeking a direction to the respondent to pass appropriate orders on his application dated 25.06.2003.

4. In the light of the circumstances explained by the petitioner, the respondent is directed to pass appropriate orders, on the basis of the material available on record, on the representations of the petitioner dated 25.06.2003 and 06.08.2004 according to the existing rules, within two months from the date of receipt of a copy of this order.

5. The Writ Petition is, accordingly, disposed of.

dsr/cs

SPECIAL OFFICER

To:

1. The Depot Manager, APSRTC,

Devarakonda Depot, Nalgonda District

2. Two CD copies.